

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

*107163050
C
12/10/04*

Applicant(s): Hee-Gyoun Lee, et al.

Title: NOVEL SUPERCONDUCTING ARTICLES, AND METHODS FOR FORMING AND USING SAME

App. No.: 10/607,945 Filed: June 27, 2003

Examiner: Colleen P. Cooke Group Art Unit: 1754

Customer No.: 34456 Confirmation No.: 8700

Atty. Dkt. No.: 1014-SP219

MS LICENSING AND REVIEW

Commissioner for Patents
PO Box 1450
Alexandria, VA 22313-1450

REQUEST FOR CORRECTION OF PTO RECORDS

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LICENSING & REVIEW*

Dear Sir:

An informal request was mailed by Licensing and Review on May 26, 2004, requesting a Statement of Property Rights. Applicants did not respond to the informal requirement due to inaccessibility of one of the named inventors. Accordingly, Applicants chose to await issuance of a Formal Requirement in order to have additional time to secure all inventors' signatures.

To date, Applicants have not received the Formal Requirement. However, on November 16, 2004, Examiner Colleen Cooke telephoned the undersigned to inform Applicants of the status of the present application. Examiner Cook stated that a Formal Requirement had been mailed by the PTO and the period for response to which had lapsed. Accordingly, Examiner Cooke informed Applicants that the PTO intends to issue a Notice of Abandonment.

However, Applicants respectfully request correction of the PTO records, as Applicants have not received the Formal Notice, and had no knowledge of a Formal Notice until the telephone call from Examiner Cooke.

CERTIFICATE OF TRANSMISSION/MAILING

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail, in an envelope addressed to the Commissioner for Patents on _____

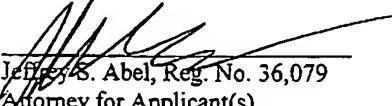
Elise K. Dougherty
Typed or Printed Name

Signature

In addition, enclosed herewith are executed Statement of Property Rights to attend to the request in the informal notice dated May 26, 2004.

Respectfully submitted,

12/5/04
Date


Jeffrey S. Abel, Reg. No. 36,079
Attorney for Applicant(s)
TOLER, LARSON & ABEL, L.L.P.
5000 Plaza On The Lake, Suite 265
Austin, Texas 78746
(512) 327-5515 (phone)
(512) 327-5452 (fax)

The following is an example of an acceptable property rights statement. Statements of this type are, of course, only suitable for situations in which NO Agency funds or other considerations were involved in the making or conception of the invention. While this example is in the form of a declaration, a sworn document is equally acceptable.

I (We) Hee-Gyoun Lee and Yi-Yuan Xie
 citizens of Korea and China
 residing at 404-407 Hyundai Apt, 1343 Sa-dong, Sangrock-Gu, Ansan-City, KR and 22C Meadowbrook Ct., Guilderland, NY, 12084, USA
 declare:
 That I (we) made and conceived the invention described and claimed in patent application:

Serial Number 10/607,945 filed in the United States of America on June 27, 2003
 titled NOVEL SUPERCONDUCTING ARTICLES, AND METHODS FOR FORMING AND USING SAME

(Check and complete either I or II below)

(Check III and/or IV below as appropriate)

I. (For Inventors Employed by an Organization) That I (we) made and conceived this invention while employed by SuperPower, Inc.. That the invention is related to the work I am (we are) employed to perform and was made within the scope of my (our) employment duties; That the invention was made during working hours and with the use of facilities, equipment, materials, funds, information and services of SuperPower, Inc.. Other relevant facts are _____

That to the best of my (our) knowledge and belief:

III. The invention was not made or conceived in the course of, or in connection with, or under the terms of any contract, subcontract or arrangement entered into with or for the benefit of the United States Atomic Energy Commission or its successors: Energy Research and Development Administration or the Department of Energy.

—AND/OR—

IV. The invention was not made (conceived or first actually reduced to practice) under nor is there any relationship of the invention to the performance of any work under any contract of the National Aeronautics and Space Administration.

That to the best of my (our) knowledge and belief (and/or) based upon information provided by _____ of _____

—OR—

II. (For Self-Employed Inventors) That I (we) made and conceived this invention on my (our) own time using only my (our) own facilities, equipment, materials, funds, information and services. Other relevant facts are _____

The undersigned inventor(s) declare further that all statements made herein of his or her (their) own knowledge are true and that all statements made on information and belief are believed to be true and further that these statements are made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

Inventor's Signature: _____

Post Office Address: 1404-407 Hyundai, Apt. 1343 Sa-dong, Sangrock-Gu, Ansan-City, KR

Date: _____

Inventor's Signature: Yi-Yuan Xie

Post Office Address: 22C Meadowbrook Ct., Guilderland, NY, 12084, USA

Date: 11/10/2004

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I (We) Hee-Gyoun Lee and Yi-Yuan Xie
citizens of Korea and China
residing at 404-407 Hyundae Apt, 1343 Sa-dong, Sangrock-Gu, Ansan-City, KR and 22C Meadowbrook Ct, Guilderland, NY, 12084, USA
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titled NOVEL SUPERCONDUCTING ARTICLES, AND METHODS FOR FORMING AND USING SAME

(Check and complete either I or II below)

(Check III and/or IV below as appropriate)

I. (For Inventors Employed by an Organization) That I (we) made and conceived this invention while employed by SuperPower, Inc.

That the invention is related to the work I am (we are) employed to perform and was made within the scope of my (our) employment duties; That the invention was made during working hours and with the use of facilities, equipment, materials, funds, information and services of SuperPower, Inc.

Other relevant facts are _____

That to the best of my (our) knowledge and belief (and/or) based upon information provided by _____

of _____

—OR—

II. (For Self-Employed Inventors) That I (we) made and conceived this invention on my (our) own time using only my (our) own facilities, equipment, materials, funds, information and services. Other relevant facts are _____

That to the best of my (our) knowledge and belief:

III. The invention was not made or conceived in the course of, or in connection with, or under the terms of any contract, subcontract or arrangement entered into with or for the benefit of the United States Atomic Energy Commission or its successors: Energy Research and Development Administration or the Department of Energy.

—AND/OR—

IV. The invention was not made (conceived or first actually reduced to practice) under nor is there any relationship of the invention to the performance of any work under any contract of the National Aeronautics and Space Administration.

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Inventor's Signature: Hee-Gyoun Lee

Post Office Address: 1404-407 Hyundae, Apt. 1343 Sa-dong, Sangrock-Gu, Ansan-City, KR

Date: 11/16/04

Inventor's Signature: _____

Post Office Address: 22C Meadowbrook Ct., Guilderland, NY, 12084, USA

Date: _____

PTO/SB/21 (09-04)

Approved for use through 07/31/2006. OMB 0651-0031

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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TRANSMITTAL
FORM

(to be used for all correspondence after initial filing)

Total Number of Pages in This Submission 5 Attorney Docket Number 1014-SP219

ENCLOSURES (Check all that apply)

<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers	<input type="checkbox"/> After Allowance Communication to TC <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): <input type="checkbox"/> Submission (2 pgs); Statement of Property Right (2 pgs, executed)
<input type="checkbox"/> Amendment/Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s)	<input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation <input type="checkbox"/> Change of Correspondence Address	<input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____ <input type="checkbox"/> Landscape Table on CD
<input type="checkbox"/> Extension of Time Request	<input type="checkbox"/> Remarks	
<input type="checkbox"/> Express Abandonment Request	CUSTOMER NO.: 34456	
<input type="checkbox"/> Information Disclosure Statement	RECEIVED DEC - 9 2004 LICENSING & REVIEW	
<input type="checkbox"/> Certified Copy of Priority Document(s)		
<input type="checkbox"/> Reply to Missing Parts/Incomplete Application <input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm Name	TOLER, LARSON & ABEL, LLP		
Signature			
Printed name	Jeffrey S. Abel		
Date	Reg. No.	36,079	

CERTIFICATE OF TRANSMISSION/MAILING

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below:

Signature			
Typed or printed name	Elise K. Dougherty	Date	

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

■ TOLER
■ LARSON
& ABEL, LLP

FACSIMILE COVER SHEET

DATE: December 9, 2004

TO: Licensing and Review **FAX NO.:** 703-305-6384

FROM: Jeffrey S. Abel

Registration No.: 36,079

RE U.S. App. No.: 10/607,945, filed June 27, 2003

Applicant(s): Hee-Gyoun Lee, et al.

Atty Dkt No.: 1014-SP219

Title: NOVEL SUPERCONDUCTING ARTICLES, AND METHODS FOR
FORMING AND USING SAME

NO. OF PAGES (including Cover Sheet): 6

MESSAGE:

Attached please find:

- Transmittal Form (1 pg)
- Submission (2 pgs)
- Statement of Property Rights (2 pgs, executed)

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Suite 265
AUSTIN, TEXAS 78746

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